

REMARKS

Claims 1-2 and 4-28 are canceled. Claim 3 was previously canceled. New Claims 29-66 are added. Accordingly, Claims 29-66 are pending in this application.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 2, and 4-7 were rejected in the Final Office Action under 35 U.S.C. § 102(b) as anticipated by Plehiers et al. (WO 2003/027124). Claims 1, 2, 4-15, and 17 were rejected in the Final Office Action under 35 U.S.C. § 102(b) as anticipated by Slater et al. (U.S. Patent No. 5,331,074). Claims 1, 2, 4-15, and 17 are canceled and it is believed that none of the new Claims 29-66 are anticipated by Plehiers et al. or Slater et al. Specifically, the new Claims 29-50 are directed to methods of boosting alkaline hydrolysis or erodability of a paint formulation and such method is not disclosed in the cited prior art references. Furthermore, the new Claims 51-57 are directed to paint compositions incorporating silylesters and a co-binder selected from a specified group of co-binders. The specified co-binders are not disclosed in the cited prior art. The new Claims 58-66 are related to hydrolysable antifouling paint compositions and the paint compositions of the cited prior art are not hydrolysable. Accordingly, withdrawal of the anticipation rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 11 and 23 were rejected in the Final Office Action under 35 U.S.C. § 102(a) as obvious over Slater et al. Claims 11 and 23 are canceled and it is believed that none of the new claims are obvious over Slater et al. Slater et al. does not suggest or motivate presently claimed methods of boosting alkaline hydrolysis or erodability of a paint formulation. Slater et al. also does not suggest or motivate paint compositions incorporating silylesters and a co-binder selected from a specified group of co-binders. The Examiner asserted that Slater et al. disclosure

makes it obvious to use of a polydiorganosiloxane or a solaxane polymer with a vinyl group to form an elastomer. Without conceding propriety of this rejection, Applicants point Examiner's attention to the fact that the claimed co-binders of Claims 51-57 do not include vinyl. Finally, Slater et al. does not suggest or motivate hydrolysable antifouling paint compositions. Accordingly, withdrawal of the obviousness rejection is respectfully requested.

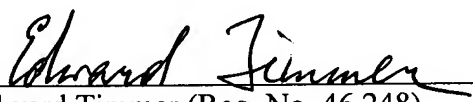
CONCLUSION

Applicants respectfully submit that the application is now in proper form for examination and favorable consideration. The Examiner is invited to contact the undersigned attorney for Applicant to discuss any outstanding issues.

The Commissioner is authorized to charge any required fees, including any extension and/or excess claim fees, any additional fees, or credit any overpayment, to Goodwin Procter LLP Deposit Account No. 06-0923.

Respectfully submitted for Applicants,

Date: December 1, 2009


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